

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ECEIPT LLC,

Plaintiff,

v.

ACADEMY, LTD.,

Defendant.

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No. 2:18-cv-00174-RWS-RSP

ORDER

Before the Court is Plaintiff eCeipt LLC and Defendant Academy, Ltd.'s Joint Motion to Stay All Deadlines and Notice of Settlement [Dkt. #16]. The Court, having considered the Joint Motion, is of the opinion that the motion should be GRANTED. Accordingly, the Court CANCELS the scheduling conference that was previously set for October 24, 2018 and STAYS the case until November 14, 2018. If dismissal papers have not been filed by that date, counsel for the parties must appear for a show-cause hearing on **November 16, 2018, at 9:00 AM.**

A party's lack of payment is not sufficient to delay dismissal papers or continue the show-cause hearing, nor is a settlement agreement that conditions dismissal on full payment. If the parties want the Court to retain jurisdiction to enforce the settlement agreement, the proposed dismissal order should contain a provision to that effect. *See Hosp. House, Inc. v. Gilbert*, 298 F.3d 424, 431 (5th Cir. 2002) ("a district court has ancillary jurisdiction to enforce a settlement agreement only if the court makes the agreement part of its dismissal order").

SIGNED this 16th day of October, 2018.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE